

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

Joseph Davis

Plaintiff(s)

v.

Martin Transport, Inc. et al

Defendant(s)

Civil Action 6:25-cv-169-JDK

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Defendant Martin Transport, Inc., C/O its agent for service of process:  
Chris Booth  
4200 Stone Road, Kilgore, Texas 75662

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Douglas B. Welmaker  
Welmaker Law PLLC  
409 N. Fredonia, Suite 118  
Longview, Texas 75601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 5/28/2025



CLERK OF COURT

David A. O'Toole

Signature of Clerk or Deputy Clerk

Came to hand on 05-28-2025 @ 6:37 P.M.

RETURN  
ATTACHED

DRLS  
516 West Annie St.  
Austin, Texas 78704  
5728

UNITED STATES DISTRICT COURT  
for the Eastern District of Texas

Joseph Davis, Plaintiff § Civil Action No. 6:25-cv-169-JDK  
vs. §  
Martin Transport, Inc., et al, Defendants § **PROOF OF SERVICE AFFIDAVIT**

Before me, the undersigned authority, personally appeared Tod E. Pendergrass, to me well known, after being duly sworn, did depose and say:

“My name is Tod E. Pendergrass. I am over eighteen (18) years of age and not a party to or interested in the outcome of this case. My address is 516 West Annie, Austin, Texas 78704, United States of America. Pursuant to Texas Government Code Section 156.001.(2), I am certified as a process server by the Judicial Branch Certification Commission under Order of the Texas Supreme Court to serve process; certification no. PSC1660, exp. 11/30/2025.

Came to hand on May 28, 2025, at 6:37 p.m. Summons in a Civil Action and Plaintiff’s Original Complaint with Exhibit A and Cover Letter, for service on Defendant Martin Transport, Inc.

Executed on June 2, 2025, at 9:17 a.m., by delivering to the agent for service of process, Chris Booth via U.S.P.S. certified mail, return receipt requested, at 4200 B Stone Road, Kilgore, Texas 75662, (see U.S.P.S. tracking and return receipt attached.)

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service and Statement of Service Fees is true and correct.”

Printed Name: Tod E. Pendergrass

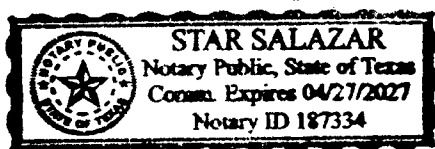
Service Fee \$ 94.00

Re: Welmaker/5788

Signature  
DRLS, 516 W. Annie Street  
Austin, Texas 78704

STATE OF TEXAS

Before me, a notary public, on this day personally appeared the above-named person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements/facts therein contained are within his/her personal knowledge to be true and correct. Given under my hand and seal of office on June 8, 2025.



Star Salazar  
NOTARY PUBLIC in and for the State of TEXAS  
[Form pursuant to FRCP 4(l)(1)]

# USPS Tracking®

FAQs >

Tracking Number:

Remove X

**9589071052700393438739**

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

## Latest Update

Your item was picked up at a postal facility at 9:17 am on June 2, 2025 in KILGORE, TX 75662.

Get More Out of USPS Tracking:

USPS Tracking Plus®

### Delivered

Delivered, Individual Picked Up at Postal Facility

KILGORE, TX 75662

June 2, 2025, 9:17 am

### Arrived at USPS Regional Destination Facility

SHREVEPORT LA DISTRIBUTION CENTER

June 1, 2025, 7:17 pm

### In Transit to Next Facility

June 1, 2025

### Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER

May 30, 2025, 9:18 am

### Arrived at USPS Regional Origin Facility

AUSTIN TX DISTRIBUTION CENTER

May 30, 2025, 7:29 am

### Departed Post Office

Feedback

AUSTIN, TX 78701  
May 29, 2025, 6:17 pm

**USPS in possession of item**

AUSTIN, TX 78701  
May 29, 2025, 11:50 am

Hide Tracking History

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less ^

Track Another Package

Enter tracking or barcode numbers

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Austin Moore</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p><b>Martin Transport, Inc. C/O Chris Booth 4200 B Stone Road Kilgore, Texas 75662</b></p>	<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>
<p>2. Article Addressed to:</p> <p><b>Martin Transport, Inc. C/O Chris Booth 4200 B Stone Road Kilgore, Texas 75662</b></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Insured Mail  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	<p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>9590 9402 8961 4064 2922 09</p> <p>9589 0710 5270 0393 4387 39</p>	<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>

welm 5788

Domestic Return Receipt

Feedback